Docket No.: IPS-0022 PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of	Confirmation No.: 9807
Yong Su KIM	Group Art Unit: 2145
Serial No.: 10/790,258	Examiner: Melvin H. POLLACK
Filed: 3/2/2004	Customer No.: 34610

For: APPARATUS FOR RESTORING NETWORK INFORMATION FOR HOME NETWORK SYSTEM AND METHOD THEREOF

PRE-APPEAL BRIEF REQUEST FOR REVIEW

U.S. Patent and Trademark Office
Customer Service Window - **Mail Stop AF**
Randolph Building
401 Dulany Street
Alexandria, Virginia 22314

Sir:

Applicant requests review of the final rejection in the above-identified application. No amendments are being filed with this Request. This Request is being filed concurrently with a Notice of Appeal. The review is requested for the reasons stated below:

The Office Action dated February 287, 2008 rejects claims 1, 4-6 and 8-10 under 35 U.S.C. §103(a) over U.S. Patent 6,363,422 to Hunter et al. (hereafter Hunter) in view of U.S. Patent 7,099,934 to Ewing et al. (hereafter Ewing).

The Office Action fails to address specifically claimed features. Applicant therefore believes that the Office Action has legal or factual deficiencies and respectfully requests that the Office Action and rejection be reviewed prior to appeal to the U.S. Board of Patent Appeals and Interferences.

Independent claim 1 recites a master for periodically receiving the operation state information output from said at least one slave to determine a current operation state of said at least one slave and to determine whether said at least one slave has been reset. The Office Action (on page 3) states that Hunter does not disclose providing the state information to the slave when the slave is reset. Applicant respectfully notes that independent claim 1 does not include this exact language. The Office Action then cites Ewing for features relating to rebooting (such as in case of a system lockup).

Hunter and Ewing do not teach or suggest "a master for periodically receiving the operation state information...to determine whether said at least one slave has been reset" as recited in independent claim 1. Hunter and Ewing also do not teach or suggest "periodically receiving at the master, the operation state information...to determine whether the at least one slave has been reset" as recited in independent claim 6. Additionally, Hunter and Ewing do not teach or suggest "a CPU for periodically checking a current operation state of the at least one slave to determine whether the at least one slave has been reset" as recited in independent claim 9. Applicant believes that these specifically claimed features have not been addressed in the Office Action and/or the applied references as a whole do not teach or suggest these features.

The Office Action's discussion in Item 4 (page 2) does not correspond to the feature of "to determine whether said at least one slave has been reset." Hunter does not provide information regarding whether a device has been reset. The Office Action (in Item 4) states that applicant does not state his opinion regarding whether Hunter provides a master's stored operation state during other problems (emphasis added). Applicant respectfully notes that the claims relate to "said at least one slave has been reset." See each of independent claims 1, 6 and

9. The Office Action's comment does not relate to the claimed features. Likewise, Ewing does not provide information regarding whether a device has been reset. The Office Action also states that applicant admits that Ewing teaches providing state information, but only that it is a back up rather than a stored operation state. Applicant respectfully submits that he has not made this alleged statement (as the statement in the Office Action is best understood). As stated above, Ewing relates to features of rebooting (such as after a system lockup). This differs from the claimed features of determining whether at least one slave has been reset. The references as a whole do not teach or suggest these specifically claimed features.

Ewing describes a network that includes a power manager connected to control power modules each of which is able to independently control a power on/off status of several network appliances. See Ewing's Abstract. Ewing's power modules report to a power manager a power status of each network appliance so that such appliances may be rebooted according to preset power-up conditions that may be determined locally. Ewing's system merely controls an on/off power status. The Office Action (on page 3) also cites various sections of Ewing. However, none of these cited sections suggest the features discussed above.

The Office Action also fails to specifically address other claimed features. For example, the Office Action does not discuss "transmitting to said at least one slave the stored operation state information if the master determines that said at least one slave has been reset," as recited in independent claim 1. As stated above, Ewing relates to performing a rebooting process (such as in case of a system lockup). Ewing's rebooting does not suggest the claimed transmitting if the master determines that said at least one slave has been reset. Hunter also does not disclose

transmitting stored operation state information when the slave is reset. Therefore, the references as a whole do not teach or suggest these specifically claimed features.

For at least similar reasons, Hunter and Ewing, either alone or in combination, also do not teach or suggest transmitting the stored operation state information from the master to the at least one slave if it is determined that the at least one slave has been reset, as recited in independent claim 6.

For at least similar reasons, Hunter and Ewing, either alone or in combination, also do not teach or suggest transmitting the stored operation state information to the at least one slave, if it is determined that the at least one slave has been reset, as recited in independent claim 9.

The Office Action also fails to address the specific features of "periodically receiving the operation state information output from said at least one slave," as recited in independent claim 1 (and similarly recited in independent claim 6). Hunter and Ewing do not teach or suggest these specifically claimed features relating to "periodically receiving."

The Office Action also fails to address the specifically claimed features of "the at least one operation state being variable after powering said at least one slave," as recited in each of independent claims 1 and 6. Hunter and Ewing do not teach or suggest these specifically claimed features.

For at least the reasons set forth above, Hunter and Ewing do not teach or suggest all the features of each of independent claims 1, 6 and 9. Thus, each of independent claims 1, 6 and 9 defines patentable subject matter. Each of the dependent claims depends from one of the independent claims and therefore defines patentable subject matter at least for this reason. In

addition, the dependent claims recite features that further and independently distinguish over the applied references.

For example, each of dependent claims 5 and 8 specifically relates to a home appliance. Dependent claim 5 recites that said at least one slave is a home appliance, and dependent claim 8 recites that said master is a home appliance. See also independent claims 1, 6 and 9 reciting a home network system. The Office Action does not address these specifically claimed features regarding a home appliance. When discussing independent claim 1, the Office Action references Hunter's col. 1, line 1-col. 5, line 55. However, this cited section has no discussion or suggestion for any type of home appliance in a home network system. Ewing also does not teach or suggest these features. Hunter and Ewing, either alone or in combination, do not teach or suggest that a slave or a master is a home appliance. Thus, dependent claims 5 and 8 define patentable subject matter at least for this additional reason.

Please charge any shortage in fees due in connection with the filing of this, concurrent and future replies, including extension of time fees, to Deposit Account 16-0607 and please credit any excess fees to such deposit account.

Respectfully submitted,
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